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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,701	01/07/2000	MAKOTO KOBAYASHI	12989-JA998	4634

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Qualcomm Incorporated  
Patents Department  
5775 Morehouse Drive  
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EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT PAPER NUMBER

2141

DATE MAILED: 03/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/480,701

Applicant(s)

KOBAYASHI ET AL.

Examiner

Bunjoo Jaroenchonwanit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 6.                      6) ☐ Other:

### **DETAILED ACTION**

1. This application has been reviewed. Original claims 1-11 are presented for examination, the objections and rejections cited are as stated below.

#### ***Specification***

2. The abstract is objected to it too long, the abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

Applicant is reminded of the proper language and format for an abstract of the disclosure, Correction is required in response to this office action.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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5. Regarding claim 6, the phrase "etc" renders the claim indefinite because it fails to specify element, which applicant intended to claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-4, 6, 7, 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Anupam et al (US. 6,411,989).
8. As to claims 1, 3, 4, 9-11 Anupam discloses a method and apparatus (hereafter a system) for sharing Web-top, i.e., shared web-page, browser, having a manager and a controller for controlling browser in each of collaboration nodes, i.e., node manager, and each of the nodes includes a surrogate, i.e., PageManager, for controlling, detecting changes of a shared web page, sending the change to the controller(s) and/or receiving the changes from the controller.

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Furthermore, Anupam discloses the surrogate is capable of detecting changes, e.g., user interaction or URL changes, in the shared web page, communicating the changed between the surrogate and the controller, i.e., sending/receiving changes between PageManager and NodeManager (abstract fig. 2; Col. 3, line 40-Col. 4, line 18). Such teaching infers that the means for detecting change and means for receiving changes are inherent.

9. As to claim 2, Anupam discloses a server 100 includes manager for control session between collaborative browsers, controlling list of document to be reviewed by the perspective collaborator, and displaying pages previously created to the new participant, visiting the sequence URL to review its history, (Col. 3, lines 24-40; Col. 4, lines 33-67) e.g., computer U-N. Such teaching infers that the page and changed pages are stored, e.g., cache in the server for later presentation. Further, Anupam discloses the system using JAVA applet to create a surrogate in each browser, i.e., the server embedding PageManager for controlling pages in each page.

10. As to claim 5, Anupam discloses the surrogate periodically check the document structure changes (Col. 5, lines 19-34; Col. 6, lines 8-40).

11. As to claim 6, Anupam discloses the manager-controller located in the server (fig 2), i.e., independently form browsers, does not migrate, control communication including dynamically generate and terminate session.

12. As to claim 7, Anupam discloses the manager created lists of on going session, which previously created by computer U-1, to be displayed or reviewed in a new participant computer U-N, i.e., transition history of a page (Col. 3, lines 24-40; Col. 4, lines 33-53).

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13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anupam et al (US. 6,411,989).

15. Anupam discloses the invention substantially, as claimed, as described in claim 1, including a PageManager is embedded as Java applets which have an identical domain and data communication by shared memory is performed between said PageManager and said NodeManager, e.g., a surrogate is a JAVA applet created for communicating with the controller in the same domain. Anupam does not express that NodeManager is an embedded JAVA applet embedded.

Official Notice is taken (see MPEP 2144.03) JAVA applet and its advantage were notoriously well known in the art at the time of the invention was made. The JAVA has been widely used in the art for simplifying software integration across platform independent.

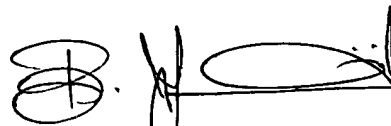
Thus, taking JAVA advantage by using the JAVA to create an applet or servlet to perform service routines, e.g., a manager-controller, as suggested in Anupam would have been obvious to one of ordinary skill in the art at the time of the invention was made. Because creating the manager-controller by JAVA applet, one of ordinary skill in the art could enhance system flexibility and efficiency with minimum complexity, designing time and cost, regardless of types of operating system and computer platform.

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16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

A handwritten signature in black ink, consisting of a stylized 'B' followed by a series of loops and a long horizontal stroke.

Bunjob Jaroenchonwanit  
Examiner  
Art Unit 2141

/bj  
March 3, 2003